

# Labor, Commerce and Industry Committee



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## MEMORANDUM

TO: Senate Labor, Commerce & Industry Committee Members

FROM: Senator Thomas Alexander, Chairman

DATE: March 2, 2018

SUBJECT: LCI Committee Meeting - Agenda  
Thursday, March 8, 2018, 9:00 a.m., Room #308

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The Senate Labor, Commerce & Industry committee will meet **Thursday, March 8, 2018 at 9:00 a.m. in room #308.** The following legislation and regulations will be considered:

### **I. LEGISLATION:**

*Special Subcommittee: Senator Setzler, Subcommittee Chairman*  
*Senator Scott, Senator Bennett, Senator Corbin, Senator Sabb, Senator Climer, Senator Goldfinch*

**A. S.189** S. 189 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 43 TO TITLE 33 SO AS TO ENACT THE “**UNIFORM LIMITED LIABILITY COMPANY ACT OF 2017**”, TO PROVIDE FOR THE MANNER IN AND REQUIREMENTS UNDER WHICH LIMITED LIABILITY COMPANIES ARE ORGANIZED, OPERATED, REGULATED, DISSOLVED, TRANSFERRED, AND CONVERTED; AND TO REPEAL CHAPTER 44, TITLE 33 RELATING TO THE “UNIFORM LIMITED LIABILITY COMPANY ACT OF 1996”.

*Subcommittee report: Favorable*

**B. S.190** S. 190 -- Senator Goldfinch: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 33 TO TITLE 33 SO AS TO ENACT THE “**REVISED UNIFORM UNINCORPORATED NONPROFIT ASSOCIATION ACT**”, TO AMONG OTHER THINGS, DEFINE TERMS, SPECIFY APPLICABILITY, SET FORTH POWERS OF UNINCORPORATED NONPROFIT ASSOCIATIONS, TO SPECIFY LIABILITY, AND TO SET FORTH THE PROCESS BY WHICH A LEGAL ACTION AGAINST AN ASSOCIATION IS ADJUDICATED.

*Subcommittee report: Favorable*

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## *Regulatory & Local Government Subcommittee: Senator Massey, Subcommittee Chairman*

**\*C. S.579** S. 579 -- Senators Alexander, Corbin, Gambrell, Climer, Campbell, Cromer, Timmons and Hembree: A BILL TO AMEND SECTION 6-9-5 OF THE 1976 CODE, RELATING TO PUBLIC POLICY FOR **BUILDING CODES**, TO PROVIDE THAT ALL STATE REGULATORY AGENCIES SHOULD ENFORCE THE SAME CODES UNLESS OTHERWISE MANDATED BY THE FEDERAL GOVERNMENT AND TO PROVIDE THE INTENT OF THE GENERAL ASSEMBLY; TO AMEND CHAPTER 9, TITLE 6, BY ADDING SECTIONS 6-9-8 AND 6-9-9, TO PROVIDE THAT ALL TECHNICAL REVIEW COMMITTEES SHALL BE COMPOSED OF INDIVIDUALS WITH CURRENT APPROPRIATE SOUTH CAROLINA STATE LICENSES, REGISTRATIONS, AND CERTIFICATIONS FOR THEIR POSITION WITHIN THE COMMITTEE; TO AMEND SECTION 6-9-10, RELATING TO THE ENFORCEMENT OF BUILDING CODES, TO PROVIDE THAT AGENCIES SHALL ENFORCE BUILDING CODES; TO AMEND SECTION 6-9-14, RELATING TO FEES AND PERMITS FOR WHEELCHAIR RAMPS, TO PROVIDE THAT A MUNICIPALITY OR COUNTY MAY NOT CHARGE A PERMIT FEE OR REQUIRE A PERMIT FOR A WHEELCHAIR ACCESS RAMP BUILT WITH MEDICARE OR MEDICAID DOLLARS AS LONG AS THE CONSTRUCTION IS PERFORMED, OVERSEEN, OR INSPECTED BY A SOUTH CAROLINA-RECOGNIZED CODE ENFORCEMENT OFFICER; TO AMEND SECTION 6-9-40, RELATING TO THE BUILDING CODE ADOPTION PROCEDURE, TO PROVIDE A TIMEFRAME IN WHICH THE COUNCIL IS AUTHORIZED TO REVIEW, ADOPT, MODIFY, AND PROMULGATE BUILDING CODES FOR RESIDENTIAL AND COMMERCIAL STRUCTURES, TO PROVIDE WHAT INFORMATION MUST BE INCLUDED IN A NOTICE OF INTENTION TO ADOPT OR MODIFY BUILDING CODES, AND TO UPDATE THE COMMITTEE RECOMMENDATION AND COUNCIL ADOPTION PROCEDURE; TO AMEND SECTION 6-9-50(A), RELATING TO ADOPTION BY REFERENCE OF NATIONALLY RECOGNIZED CODES AND STANDARDS, TO PROVIDE THAT THE COUNCIL MAY PROMULGATE VARYING CODE REQUIREMENTS FOR DIFFERING USES AND MAY USE THE REQUIREMENTS OF A NATIONALLY KNOWN CODE, A NATIONAL MODEL CODE, OR A NATIONALLY RECOGNIZED CODE AS GUIDANCE; TO AMEND SECTION 6-9-60, RELATING TO ADOPTION BY REFERENCE OF CERTAIN NATIONALLY RECOGNIZED CODES AND STANDARDS, TO PROVIDE THAT MUNICIPALITIES AND COUNTIES MAY ADOPT BY REFERENCE ONLY THE LATEST EDITIONS OF THE CODE APPROVED AND PROMULGATED BY THE COUNCIL; TO AMEND SECTION 6-9-63, RELATING TO THE SOUTH CAROLINA BUILDING CODES COUNCIL, TO UPDATE THE PRIMARY FUNCTION OF THE COUNCIL AND TO PROVIDE THAT THE SOUTH CAROLINA DEPARTMENT OF LABOR, LICENSING AND REGULATION SHALL PROVIDE THE COUNCIL AND TECHNICAL REVIEW COMMITTEES WITH A PRINTED OR AN ELECTRONIC COPY OF THE RELEVANT CODES BEING ENFORCED OR REVIEWED BY THE COUNCIL AND THE COMMITTEE; TO AMEND SECTION 6-9-105(A), RELATING TO VARIATIONS BASED ON PHYSICAL OR CLIMATOLOGICAL CONDITIONS, TO PROVIDE THAT PROPOSED VARIATIONS AND MODIFICATIONS BY A MUNICIPALITY OR COUNTY MUST BE SUBMITTED TO AND APPROVED BY THE COUNCIL; AND TO REPEAL SECTION 6-9-55.

**\*D. H.3529** H. 3529 -- Reps. Bedingfield, Sandifer, Hamilton, Forrester, Atwater, Yow, Clemmons, Crawford, Fry, Hill, Lowe, Pitts, Putnam, Anderson, Martin, G.R. Smith, Williams, Hixon, Henegan and Henderson: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING CHAPTER 77 TO TITLE 39 SO AS TO PROVIDE THAT ANY REGULATION REGARDING THE USE, DISPOSITION, SALE, OR ANY IMPOSITION OF ANY PROHIBITION, RESTRICTION, FEE IMPOSITION, OR TAXATION OF **AUXILIARY CONTAINERS** MUST BE DONE ONLY BY THE GENERAL ASSEMBLY, TO DEFINE AUXILIARY CONTAINER, TO PROVIDE FOR LEGISLATIVE FINDINGS, AND TO PROVIDE FOR EXCEPTIONS.

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## *Professions & Occupations Subcommittee: Senator Davis, Subcommittee Chairman (Senator Climer substituted for Senator Davis as subcommittee chairman)*

**E. S.912** S. 912 -- Senators Jackson, Allen, Reese, Shealy, Talley, Johnson, Campbell, Sabb, Gambrell, Nicholson and Rankin: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-18-75 SO AS TO PROHIBIT A **PRIVATE INVESTIGATION BUSINESS** FROM KNOWINGLY REPRESENTING MULTIPLE PARTIES WITH OPPOSING INTERESTS IN CIVIL OR CRIMINAL MATTERS AND TO PROVIDE PENALTIES.

*Subcommittee report: Favorable*

**F. S.962** S. 962 -- Senator Alexander: A BILL TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 40-75-225 SO AS TO PROVIDE CRITERIA FOR LICENSURE AS AN **ADDICTION COUNSELOR**; TO AMEND SECTION 40-75-5, RELATING TO CERTAIN PROVISIONS GENERALLY APPLICABLE TO BOARD REGULATION OF PROFESSIONS AND OCCUPATIONS, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-10, AS AMENDED, RELATING TO THE BOARD OF EXAMINERS FOR LICENSURE OF PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND PSYCHO-EDUCATIONAL SPECIALISTS, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-20, RELATING TO DEFINITIONS, SO AS TO MAKE REVISIONS; TO AMEND SECTION 40-75-30, RELATING TO THE REQUIREMENT OF LICENSURE BY THE BOARD TO PRACTICE CERTAIN PROFESSIONS, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-50, RELATING TO THE BOARD, SO AS TO REMOVE DUTIES CONCERNING THE ESTABLISHMENT AND FUNCTION OF STANDARDS COMMITTEES; TO AMEND SECTION 40-75-110, RELATING TO DISCIPLINARY PROCEEDINGS CONCERNING BOARD LICENSEES, SO AS TO INCLUDE ADDICTION COUNSELORS; TO AMEND SECTION 40-75-190, RELATING TO CONFIDENTIALITY OF CLIENT COMMUNICATIONS BY LICENSEES, SO AS TO INCLUDE ADDICTION COUNSELORS AND TO REVISE EXCEPTIONS; TO AMEND SECTION 40-75-220, RELATING TO REQUIREMENTS FOR PROFESSIONAL COUNSELOR LICENSURE AND FAMILY AND MARRIAGE THERAPIST LICENSURE, SO AS TO REVISE THOSE REQUIREMENTS AND PROVIDE ADDITIONAL REQUIREMENTS FOR ADDICTION COUNSELOR LICENSURE; TO AMEND SECTION 40-75-230, RELATING TO REQUIREMENTS FOR PROFESSIONAL COUNSELOR SUPERVISOR LICENSURE AND FAMILY AND MARRIAGE THERAPIST SUPERVISOR LICENSURE, SO AS TO MAKE THOSE REQUIREMENTS APPLICABLE TO ADDICTION COUNSELOR SUPERVISOR LICENSURE; TO AMEND SECTION 40-75-240, RELATING TO INTERN LICENSES, SO AS TO REPLACE THE TERM "INTERN" WITH "ASSOCIATE" AND TO INCLUDE ADDICTION COUNSELOR INTERNS; TO AMEND SECTION 40-75-250, RELATING TO THE ISSUANCE OF DISPLAY OF LICENSES ISSUED BY THE BOARD, SO AS TO INCLUDE ADDICTION COUNSELOR LICENSES AND ADDICTION COUNSELOR ASSOCIATE LICENSES; TO AMEND SECTION 40-75-260, RELATING TO RECIPROCITY AGREEMENTS WITH OTHER STATES, SO AS TO INCLUDE ADDICTION COUNSELOR CREDENTIALS; TO AMEND SECTION 40-75-285, RELATING TO THE APPLICABILITY OF ARTICLE 1, CHAPTER 75, TITLE 40, SO AS TO INCLUDE ADDICTION COUNSELORS; AND TO AMEND SECTION 40-75-290, RELATING TO PERSONS NOT APPLICABLE TO ARTICLE 1, CHAPTER 75, TITLE 40, SO AS TO REMOVE PROVISIONS CONCERNING CERTAIN ADDICTION COUNSELORS; TO REDESIGNATE CHAPTER 75, TITLE 40 AS "PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, ADDICTION COUNSELORS, AND PSYCHO-EDUCATIONAL SPECIALISTS", AND TO

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REDESIGNATE ARTICLE 1, CHAPTER 75, TITLE 40 AS "PROFESSIONAL COUNSELORS, MARRIAGE AND FAMILY THERAPISTS, AND ADDICTION COUNSELORS".

***Subcommittee report: Favorable with amendments***

## **III. REGULATIONS: Regulatory & Local Government Subcommittee: Senator Massey, Subcommittee Chairman**

**G.** Regulation #4763 Real Estate Appraisers Board  
Fees

***Subcommittee report: Approved***

**H.** Regulation #4777 Residential Builders Commission  
Classification of Residential Specialty Contractors

***Subcommittee report: Approved***

**I.** Regulation #4778 Residential Builders Commission  
Classification of Residential Specialty Contractors

***Subcommittee report: Approved***

**\*J .** Regulation #4764 Auctioneers Commission  
Late Fees

**\*K.** Regulation #4765 Auctioneers Commission  
Exam Fees

**\*L.** Regulation #4767 Board of Barber Examiners  
Applications, Permits, Training, Progress Reports and  
Examinations

**\*M.** Regulation #4768 Perpetual Care Cemetery Board  
Definitions

**\*N.** Regulation #4770 Office of Immigrant Worker Compliance  
Audit Programs

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- \*O.** Regulation #4794    Office of Elevators and Amusement Rides  
Fee Schedule
- \*P.** Regulation #4795    Board of Examiners for Licensure of Professional Counselors,  
Marriage and Family Therapists and Psycho-  
Educational Specialists  
Update/Compliance
- \*Q.** Regulation #4796    Contractor's Licensing Board  
Mechanical Contractors - Air Conditioning, Heating  
and Packaged Equipment
- \*R.** Regulation #4802    Office of Occupational Safety and Health  
Recording and Reporting Occupational Injuries and  
Illnesses

## III. ADJOURNMENT

*\*Depending on outcome of subcommittee meeting on Wednesday, March 7, 2018.*